

Silver Spring Urban District Advisory Committee Meeting
Summary
March 20, 2008

Members Present: Barbara Henry, Jon Lourie, Bob Middleton, Abrielle Anderson, Renee Okon, Mary Pat Spon, Carmen Camacho and Pete Esker

Members Absent: Genny Hardesty, Robb Parker, and Nancy Schwiesow

Guest: Jane Redicker, Lt. Burnett, Rick Siebert, Jennifer Nettles Godfrey Barrow, Jana Howley, Yuri Van Mierlo, Jennifer Desco, Godfrey Barrow

Staff: Mel Tull, Vicki Lockerman, and Susan Hoffmann

Welcome/Introduction – Barbara Henry called the meeting to order at 3:30 p.m.

Approval of Minutes

Motion: (Middleton, Anderson) Silver Spring Urban District Advisory Committee approved the December 2007 minutes

Motion: (Middleton, Esker) Silver Spring Urban District Advisory Committee approved the February 2008 minutes

Chairs Report

Barbara Henry reported that:

- The Silver Spring Region Boards and Committees met with the County Executive on February 28 at 9:00 p.m. to present our FY09 Operating Budget Priorities and they listened to what we had to say and that they would take it under advisement and get back to us. There were many comments made not only by the County Executive but also by those presenting in recognition of the fact that the budget this year is really terrible and we all need to be mindful of that. There was an article in the paper today that indicated there will be an increase in the property tax and the article said if you had a house that was \$220,000 dollars or less you would not be affected by this. This will be a tough year and where we could speak with one voice in concert among many of us perhaps we won't lose anything but I would be surprised if anybody gets anything.

Jane Redicker commented that the Council President was thinking of putting into the charette process the possibility of moving Silver Place to Rockville. Councilmember Ervin, and Chamber members wrote letters to the Council President and during the hearing on Tuesday he agreed that he was not going to raise the issue this time and they passed the funding for the charette unanimously and it will move forward in April.

Police Update

Lt. Burnett reported that

- The Police Department is concerned about budget cuts. We have been told that one of our Community Outreach Units will probably be disbanded and those officers will go back to various District stations. There is a possibility that the July academy class may be cancelled but this is not definite yet.
- A homicide occurred on Fidler Lane. A group of kids from a transitional group home met in downtown Silver Spring, an argument started and a young lady stabbed two people, one person died and the other had minor injuries and suspects have been apprehended.
- We still have theft from vehicles GPS units, purses and wallets but for the most part our auto thefts are down in the garages but theft from vehicles remains the same.
- We have had a number of robberies in the downtown Silver Spring area and arrested two gentlemen that where about to commit an arm robbery. There where other minor robberies at Sligo Creek Avenue, Chicago Avenue and an armed robbery on Gist Avenue, we are looking at some suspects. Overall downtown Silver Spring has been quiet.

Bob Middleton asked if there is disconnect between what is being reported in the paper and what Lt. Burnett is telling us today. If the Gazette is at fault I would be the first to call them and let them know. For some reason in reading the crime reports every week vehicles are being taken as opposed to items in vehicles so which is correct?

Lt. Burnett responded that it's both and I will not say no vehicles are being stolen at all.

Bob Middleton stated that he counted at least 7 or 8 in the downtown area.

Lt. Burnett stated that he hoped the Committee did not take this the wrong but these numbers do not reflect a lot of cars being stolen for such a huge area with numerous parking facilities and people coming to downtown Silver Spring area. The biggest issue is the theft from vehicles and if someone wants to steal a car there is nothing you can do to prevent it. They know how and will disarm the various types of security systems installed. We have the biggest problem out toward Briggs Chaney of stolen vehicles and jeeps are the number one vehicle stolen.

Barbara Henry stated there is a perspective issue because we always compare our statistics to Bethesda's but our downtown is three times the size of Bethesda.

Lt. Burnett responded Bethesda biggest challenge is theft from vehicles. Silver Spring has much broader issues to deal with. Theft from vehicles is important but we have robberies, assault and different types of crime in Silver Spring that have to be addressed on a larger scale.

Pete Esker asked where the home of record was for most of the suspects the Police pull in especially for crimes of violence like robbery.

Lt. Burnett responded that the Police are finding most of the things that happen here in the downtown are done by people coming from Briggs Chaney, DC and PG County. A party was held at the Gap Center and was a success with no problems. But when it was over we had some concerns with the number of

kids let out. Since that time I have spoken to the Gap Center and they are going to try and do a better job at the next event. It seems we have issues with kids not living in Silver Spring or Wheaton.

Farmers Market

Jana Howley reported that:

- The Farmers Market enjoyed its third season and we were thrilled because the market took off like gang busters. We had 26 Saturday's of market this past season and ran from the beginning May to the end of October. We had a 41% increase in customers this year which is phenomenal and we increased only by two producers. We added another flower person, someone else came in and sold pork and he did phenomenally. We are working aggressively this season to bring in somebody to bring in chicken, eggs and other types of meats so that we can have a really well rounded market.
- The farmer's sales increased 63% from 2006 to 2007 which shows with the customer increase and the site sales increase that was tremendous for the market and shows that it really established itself this year.
- Average sales per customers went from 20 in 2006 to 23. We do an average customers sales and we get these number by doing a customer account every half hour once the market starts and the farmers report their sales to us and we do an average. We were pleased, the farmers were thrilled and very enthusiastic and all plan to return this season.
- Chef demonstration went up this year, we had 15 chef demonstrations and programs which really brought in a lot more families this season and Whole Food committed to do chef demonstrations once a month which creates a good community feel when the market has a lot of activities going.
- We have a dedicated chef and a market coordinator that will be planning for this season. We are having two cooking demonstrations a month plus additional activities and we probably have booked 60% of our needs already.
- The Market Manager this past season did a great job of recruiting local musicians to play acoustic music at the market and had them on an average of once to twice per month.
- We donated more than 1300 pounds to Shepherd Table which is our gleaning partner for this market and that was a little bit up from last year about 100 pounds and some of this had to do with the drought we had last season.
- Market Manager did a good job of recruiting community organizations to come to the market so we had the Cool Capital Challenge people there several times. We had a clothing swap one weekend which was interesting we had the Monarch Effect which works to preserve monarch butterflies and educate people about their importance. We did our green kids at market program.
- We thank the Silver Spring Regional Center, Silver Spring in general and the Silver Spring Urban District, Red Shirts are unbelievably helpful and a pleasure to work with.
- I would like to recognize Jackie Lancaster from the Silver Spring Urban District who worked with us most often she was an incredible asset to the market. She helped farmers load and unload, passed out market information at market and at Veterans Field kiosk, always lending a helping hand. The farmers admired her professionalism and appreciated her efforts. We made her an Honorary Market Member and I wanted to thank her for being a real team player and acknowledge how much we all appreciated her hard work.
- This season will be extended opening up on April 19 and closing November 15.
- Market location may need to move due to the May 2008 start of the Civic Center construction projection. Construction will impact market for entire 2008 season and half of 2009 season. We have approached Whole Foods Mid Atlantic Regional Office to ask them to waive their non-

compete clause that would prevent us from requesting permission from Peterson Companies to relocate the market to the pedestrian shopping area of Ellsworth. Again thank you and Silver Spring has been wonderful to work with and we are extraordinarily pleased with how well this market did last season. We have a new Market Manager coming on board.

Barbara Henry asked if Jackie was still working for the Urban District and if so if there something nice we can do for her given that she has done such an excellent job.

Susan Hoffmann recommended that a letter be written for Jackie's personnel file.

Jana Howley responded that the Farmers Market would be happy to write a letter and Jennifer Nettles, Peterson volunteered to donate a gift card and send it to Susan Hoffmann.

Barbara Henry commented on the location issue and thought that this Committee should agreed to be as helpful as possible to get the Farmers Market some place close where people can find it easily. I think none of us are interested in having this conversation escalate into no photographs on Ellsworth Drive so let's try and stay out of that. If there is something we can do to be helpful please let us know.

Susan Hoffman stated that not both sides, down to Fenton are all Peterson some of it is City Place. Peterson does not have jurisdiction over the entire space some of it is public right-a-way, the side walk to a certain point in the road and in front of the City Place piece is not under Peterson control or jurisdiction. At the same time we would like to be sensitive and develop a cooperative approach to this. I believe that we are heading in that direction and assume it is still moving forward in that direction and the issue is ultimately Whole Foods signing-off.

Jon Lourie stated that this is not right in front of Whole Foods.

Susan Hoffmann responded that this is part of Whole Foods contract that nothing on the Peterson property, compete with other businesses.

Jana Howley stated that Whole Foods is very supportive.

Jennifer Nettles stated that she has never been approached about this issue but was aware that Whole Foods does have an exclusive for the property and agreed to look into the matter further.

Jon Lourie asked about the projected start date of the Civic Building.

Susan Hoffmann responded that the ground breaking is scheduled for May 2008.

Mary Pat Spon asked about where the booths where going to be are they going to run parallel to one another up Ellsworth Avenue up the brick road or toward the same side of Ellsworth where the Civic Center is being built. My concern is the pedestrian access to both the shops and the farmers market.

Jana Howley responded that it is physically impossible for us to have trucks with tents facing each other because there would be literally little pedestrian walkway left.

Susan Hoffmann responded that they will be on one side of the street, not both sides of the street there will not be two sets of tents.

Jana Howley stated that it will be one long row of farmers and that would be the width of car.

Barbara Henry suggested that the Committee let them figure out the logistics and perhaps Jana Howley could come to another meeting once this is finalized.

Susan Hoffmann reported that the three street banners have been ordered and are under fabrication so we will be letting everybody know that Farmers Market will be kicking off.

Bob Middleton asked how Silver Spring did relative to some of the other markets of the same approximate length of time.

Jana Howley responded that the DuPont Circle market is our number one ranking market, Penn Quarter is our second highest grossing market for the farmers and Silver Spring was third this year.

Mel Tull stated he received an e-mail asking whether somebody could locate another farmers market in Silver Spring on weekdays but daily just one guy that runs a Potomac Farm Market and brings in vegetables and fruit from other framers in the area. Would set-up a 20 x 30 place and could I find him a place. I would have responded that we already have a farmers market and this person is talking about daily through the week. Would a small market build up or conflict and should we go further?

Jana Howley responded that one question is whether the person is literally sourcing from local farmers or going somewhere else.

Pete Esker asked if the farmers market was provided access to the city street at no cost to any of the vendors is this correct. The person we are talking about is free to rent space and comply with the Health Department and do what they want to do. Are they looking for free space? Have you considered having the market inside the parking garage once it has to move?

Jana Howley stated if the gentlemen was interested in getting involved with their Farmers Market have him contact our office but at the same time part of our organization and what we are trying to do is talk to people about traceability of food. When people are bringing in foods from other farmers we do farm visit to make sure they are growing and producing what they say when they bring it to market.

Parking Update

Rick Siebert reported that:

- The Parking Lot District recommended budget is terrific and the County Executive recommended every item the Department requested. We where spared from the 2% cuts that the Executive made in the FY08 expenditures. There seems to be recognition on the Executive's side that the Parking Lot Districts are self funding and the issue is how they are able to fund themselves rather than the current general funds status.
- We have a few initiatives coming up as follows: self-release booting program which will allow the public to remove a boot from their vehicle by paying delinquent tickets by credit card over the

telephone. You have one business to return the boot to the Silver Spring, Bethesda, Sales Stores and the Wheaton Regional Service Center or you can keep it and the cost is \$500.00. Every phone call will be recorded. It does not cost you anymore than if we had towed the car and this is more convenient. Although we will end up booting more people on the list but more of the old tickets will be paid off. If you are in a tow zone you still get towed. Another initiative not listed that we want to try is to replace all those paper permits that are mailed out every month. We are going to try an issue on a one time basis an RFID card like an easy pass that you can place in your car and you can go on-line and update payments anytime you want. Our officers will scan your car with a hand held device that will beep back if there is a permit in the car. We hope by doing this we will have more accurate enforcement because officers do miss the paper permit sometimes and this will be much more convenience for people.

- We are going to add a manager position in parking and they will be focused on operations and allow the Division Chief to spend more time running the Division instead of also being the Chief Operator. We are also adding a position for an elevator contract monitor. The current elevator contract monitor is in facilities and monitors the maintenance contracts on 94 elevators just in County buildings not counting the ones in the PLD and garages. This is part of the reason we have as much trouble as we do in keeping our elevators running so we are getting a dedicated person to manage our elevators contracts for our garages.
- An additional vehicle has been added to the fleet and we got a couple of maintenance positions added two years ago but they did not get a car so they had to double up on jobs with other people particularly in snow season and this was not effective. We are very happy with the County Executive recommended budget with regard to the Parking Lot District. I hope this Committee will support it when we get to T&E which should be about April 15.

Barbara Henry asked if there has been any response from the increase in fees.

Rick Siebert responded we have met with the Citizens Advisory Board, Silver Spring Small Business Association, Silver Spring Chamber of Commerce, this Committee and we had a Public Forum and received no negative feedback on the rate increase.

- The Administrative fee for the County when a car is towed is \$10.00 but when it goes to Gude Drive you pay \$100.00 to the tow company plus storage fees. This will go away but the Administrative fee to the County is going up to \$115.00 dollars per car. This will cover the direct cost to the vendor that is running the call center and providing the boots. The money currently goes to a sub-contractor and he is the only one in the Country that does this. Prince George's County started this on January 1, 2008 and collected \$60,000.00 dollars in old tickets.

Rick Siebert introduced Godfrey Barrow, Capital Project Manager for garage 21 restoration project located at the corner Colesville and Spring with United Therapeutics on one side and the Jamal building on the other side. Councilmember Ervin staff has brought up a concern about the construction that will go on simultaneously with all three in particular pedestrian safety and we made a commitment that we will do whatever is necessary to allow safe pedestrian passage on that side of the road and all the way around our project. We did this before at the corner of Woodmont and Old Georgetown in Bethesda where we built a covered walkway when doing that major restoration project.

Discussion:

Jon Lourie asked what the presence status was.

Rick Siebert responded that part of the County Executive's recommended budget is funding for this project so the fund will not be available until 1 July. We are preparing the bid documents to publish on 1 July when we have the money to fund them. We are looking at probably breaking ground in September. We are going to go underground with this project.

Jon Lourie stated that they were re-plotting this but wanted to know what structural work was being done.

Godfrey Barrow responded that most of structural work will be done to what we have on the existing structure. We are at the 90% review phase.

Jon Lourie stated that this had been presented a while ago and my only comment is from an architectural standpoint and that is I don't understand how the brick panels interact with the pre-cast concrete.

Godfrey Barrow stated that it's would be pre-cast concrete with in set brick.

Jon Lourie stated that there are these vertical concrete panels sort of at an odd proportion.

Godfrey Barrow responded that they had discussed this with the architect and he has looked at the entire structure and elements as to how they fit.

Rick Siebert stated that parking current revenue will be used to pay for capital project and it is a county capital project. Town Square and Wayne Avenue garages are done with MEDCO Bond. We are not intending to change the revenue collection system we will put individual meters back. It's flat plate construction and our newest garages and our standard is to use post tension but this is an older structure we are essentially rebuilding it the way it was built previously. We hope this project will be finished by 1 January 2010.

Rick Siebert stated that the CE recommended budget includes an increase in the administrative fee that will give us enough money to pay the vendor without it costing the PLD and the second part is that it includes an appropriation which is required to actually pay the vendor for that service. We put a fairly modest amount in the appropriation request at \$100,000.00 dollars because we figured if we put enough boots on and use that amount up it would be no problem getting an additional appropriation because we would be able to show the collected revenue we brought in.

Pete Esker asked about the minutes of the last meeting and that Rick Siebert stated that they may have to go to some parking management on weekends as they have done in Bethesda. In Garage 4 and surrounding areas on Sunday especially all spaces are taken by various religious groups using them. This has deprived my organization of spaces for its many older and handicapped members to use and also Jackie's Restaurant went to kick-off their Sunday Bunch and there was no parking spaces available in the surrounding area have you given this any more thought.

Rick Siebert responded that there are some fundamentally difficult issues associated with this. One all public parking is available on a first come, first serve bases and I don't believe we can discriminate on

where your destination is. The second part is that the wonderful MEDCO Bonds included some restrictions on the hours you can charge for parking in the Wayne Avenue and Town Square garages so until we have the opportunity to retire or refund those bonds and there are restriction even on when we have the opportunity to do that we are unable to change the hours of collection for those two garages. People raised extremely legitimate concerns about what that means in terms of discrimination if those garages are free and others areas are not. For us to come up with a meaningful way to manage parking on Saturday and Sunday with those restrictions we just don't have a solution.

Pete Esker asked what they did in Bethesda.

Rick Siebert responded that the businesses in Bethesda felt they needed some management of the on street spaces and maintaining short-term turnover so they went to a fee schedule for Saturday and included Saturday evening. If we attempted to do the same thing here in Silver Spring we have fundamental problems.

Barbara Henry suggested contacting having a discussion with the Church to see if a situation could not be created where everyone wins

Renee Okon responded that she did not think this would work and this was one of her churches and they have a problem because everything is closed off and Whole Foods does not allow us to park. We are at the Town Center garage and this is a large congregation.

Pete Esker wanted to know if religious organization where exempt from the other zoning if you where going to put in an organization of a non-religious nature that brought in 4,000 people on a weekend you would have to make arrangements for them. I am going to approach this as a zoning issue rather than parking issue.

Rick Siebert stated that the County Executive budget proposes to increase the short term and long-term parking rates in Silver Spring to match those of Bethesda. That would be 50 cent per hour long-term and 75 cent per hour short-term. In national average \$1.00 dollar an hour seems to be what everyone else is charging so at 75 cent an hour this is a good rate and provides a lot more revenue for Silver Spring.

Barbara Henry asked if the Fair Share Program was still around.

Rick Siebert responded yes the program was still around

Marketing and Special Events

Susan Hoffmann reported that:

- The Marketing and Special Events summary is in the packet and that she would be happy to answer any questions.
- We are 90% booked for the Silver Spring Swings Summer Concert Series.
- \$5,000 dollars has been cut from my budget which was the initial cut from the current budget and means we are not doing the bike race. There is a \$15,000.00 dollar cut that will come from Magical Montgomery. We currently provide Magical Montgomery with a \$15,000.00 dollars we write them a check and the Silver Spring Urban District Red Shirts give support but the Arts and Humanities Council does the work, pays the talent and produces the event and we help with

banners etc. What we are committed to doing and believe there is a lot of opportunity for sponsorship from private sector, private donation at any level. Peterson has expressed an interest in being supportive of Magical Montgomery so we are hopeful that this event will not go away.

- Restaurant Week is the April 7 through April 13. Participating restaurants include: Abol Ethiopian Restaurant, Austin Grill, Blair Mansion Inn, Ceviche, Cubano's, eggspectation, El Aguila Restaurant, Golden Flame Restaurant, Jackie's Restaurant, McGinty's Public House, Mrs. K's Toll House, Nicaro Restaurant Lounge, Olazzo, redDog Cafe, Redrock Canyon Grill, and Thai at Silver Spring.

Barbara Henry asked for details around the Acorn Market.

Susan Hoffmann responded that they had a conversation with South Silver Merchant Association/ Gateway person John Landis. They are interested in having a craft, artist and Farmers market all rolled into one by Acorn Park and asked for our thoughts and support. My biggest concern was the issue of the Farmers Market on Saturday, them trying to do something that was doomed to fail because everyone would be at the Silver Spring Market on Ellsworth and this would be one more attempt gone bad in South Silver Spring and they don't need that. I discussed this with John Landis and he said there was some interest from a couple of organic farmers but I have not heard back from him.

Barbara Henry stated that the last she heard was he was proposing to do this every Saturday and this would be a challenge for us.

Susan Hoffmann responded that he has been instructed nearly every time he has surfaced about this to speak with you.

Barbara Henry asked if there was a requirement when you close a street to discuss it with the neighbors because I am not even sure he has talk to the people at the condominiums across the street.

Susan Hoffmann stated that she frankly did not know what the requirement is for closing the street and whether the requirement includes notifying the adjacent community but I believe there is a requirement and we do this and it's part of our process whether required or not we do it. My concern is the level of success and I am not trying to be negative but don't go into something that is not even remotely likely to succeed. When the residential is there you will have clientele

Jennifer Desco asked about the 2008 Jazz Festival and where it would be due to the construction

Susan Hoffman responded that the 2008 Jazz Festival will happen at a location TBD and close to the intersection of Fenton and Ellsworth.

Urban District Report

Mel Tull reported that:

The Urban District budget survived pretty well, personnel is the same and there was a \$20,000.00 dollar reduction in sidewalk maintenance

Director Reports

Mel Tull reported that:

- The County Executive budget for the Regional Center went through nicely and staffing and budget remain the same.
- County Council has been favorable on the Live Nations extra \$2 million dollars for this year.
- We have deals for two of the three remaining properties on the library site that we had to acquire. The two will go to settlement in the next couple of months and should be wrapped up by the beginning of the next fiscal year. . We started the condemnation procedure for the third property and this should also be done by the beginning of the year which means we will start design. This is at the corner of Fenton and Wayne going down Fenton to corner of Bonifant Street turns the corner and goes on down.
- The Purple Line has a surface route as a possible choice through Silver Spring as well as an underground route as a choice and by December 2008 they will make a recommendation about which choice to go with. Provided it is the surface route and the one they can afford to build it would come from the transit center down to the surface on Bonifant Street where the two garages cross the street on Bonifant come under the crossing, cross Georgia Avenue on the surface and down Bonifant Street, Kefa Café down pass the other shops. They will come through the edge of the library site to the Wayne Avenue, Fenton Street intersection at the four ways which will become five ways. They are still looking at possible routes, traffic studies will be coming as they get further into this. There will be a platform on the library site so it will give us a stop for people that are trying to get to that end instead of walking on inclement days up the hill they will be able to go directly up there on the Purple Line.

Bob Middleton asked about the library complex and the space where the Crescent is and wanted to know if all that area was going to be up for bid in terms of construction of the library site.

Mel Tull responded yes.

Jon Lourie asked about community input and how has it been tailored for the library project.

Mel Tull responded that Rita Gale, Library central office, attended the Silver Spring Citizens Advisory Board, Commercial Economic Development Committee meeting last night and stated there will be numerous opportunities as they go through the architectural work. An architect has not been selected. Once we have the site they will get the next stage of appropriation for the design, select an architect and begin to have a series of public meetings. One of the things they are interested in is in addition or beyond the initial program of requirements put together a few years ago in order to get this on the process for the CIP and now to look at what the community really would like and there are change possibilities here, what sort of new things, different ways of operating etc.

Jon Lourie asked if this was going to be run through the Library Department because I think as with the Civic Building it would be to Silver Spring's benefit to have another design competition to select an architect so we don't have the same architects that the County uses that are not very creative. This is also a way to generate community interest.

Barbara Henry stated that the Roland Stanley, new Director of Planning at Park and Planning has a very different orientation to a lot of this stuff and he has a presentation that is quiet interesting and frankly thinks most of the buildings he sees around here are dismal and I don't know that I disagree with him.

Action

Extend and invitation to Roland Stanley to attend our April meeting.

Jon Lourie stated that this might be something that the Citizens Advisory Board and our Committee might want to write a letter requesting the library design competition and also speak to them in regards to how they are going to get community input from Silver Spring.

Mary Pat Spon stated she would take this information back to the Citizens Advisory Board.

Jennifer Desco asked if there was going to be a housing component to the site

Mel Tull responded that he anticipated that there will be other uses on the site including a housing component. The library or the housing component are very far along, we are putting together the site. Once the site is available we can bring in an architect, start having meetings and find out what we will actually build on there, how it will fit and start the design. Given there is a lot of excess density available on that site that there would be housing.

Jon Lourie asked about the bid for the Civic building that where due the end of February and when will they be made public.

Mel Tull responded there where questions about details and as the County gave potential bidders responses clarifying some of those details the time for submitting bids was extended until March 25 and this should not make that much of a different in the start date in May.

Bob Middleton stated that he gathered from the Vice Chair there where two things he wanted to mention, one the question to Mel and the other the possibility of this particular Committee coming out in favor of a design competition for the library project.

Jon Lourie stated they need a project that has positive community input from Silver Spring and that a design competition would be to everyone's benefit. We need to explore this with the Citizens Advisory Board and figure out where we are and discuss at our next meeting. Who should we write the letter to, what is the current status of them going about this process. There was a community body involved in the site selection process and it's been awhile and we need to understand the status.

Meeting adjourned 5:00 p.m.

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